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Arizona Governors' messages

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Message of ... <1864>-<1868>, <1883>, 1903

Message of the Governor of Arizona, <1871>

Biennial message ... <1873>-<1877>, <1885>, <1891>-<1893>, <1897>, 1907-<1909>

Governor's message ... <1887>, <1895?>, <1899>-1901, 1905

Special message ... <March 1, 1907>

Spanish version for 1885 has title: Segundo mensaje bienial de Frederick A. Tritle, Gobernador del Territorio de Arizona, rendido a la Decima tertia Asamblea Legislativa, el 12 de Enero de 1885

GOVERNOR'S MESSAGE

...TO THE..

TWENTIETH LEGISLATIVE ASSEMBLY

OF THE TERRITORY OF ARIZONA.

To the Gentlemen of the Council and House of Representatives of the Twentieth Legislative Assembly of Arizona:

In accordance with law, I have the honor to communicate to you such information relating to the different departments of the Territorial government as has been officially reported to me, and to submit for your consideration and action such subjects as in my judgment require your attention.

Arizona is to be congratulated upon the marked prosperity which prevails throughout the Territory; the production and wealth of the mines; the success of grazing and agricultural interests, and the evidences of thrift and comfort to be found everywhere among the people.

// In the war with Spain, Arizona very promptly tendered to the Government volunteers that, compared with our population, in numbers greatly exceeded the tenders made by any other State or Territory; and on Cuban soil, by their bravery and heroic conduct, they won the admiration of the civilized world. Their names and deeds will invoke love and respect as long as the nation's history lives. //

By their patriotism and valor, by their thrift and ability, by their loyalty to the republic, fealty to national principles and every consideration of true Americanism, the citizens of Arizona have earned and are entitled to statehood and the inestimable privilege of self-government.

Elected by the people to regulate Territorial affairs through necessary legislation, responsibility rests upon you, in a large degree, to protect and advance the public interests. The executive and legislative branches of the government are mutually responsible and obligated to the people for the proper and beneficial conduct of affairs, and they should work together in a conscientious and co-operative spirit for the general good.

The opportunity is before you to remedy statutory defects and enact such new and necessary laws as the advanced needs of the Territory require. It is my purpose and desire to aid you in your legislative work in every way consistent with my official responsibility.

FINANCIAL CONDITION OF THE TERRITORY.

The subject most vitally important and upon which the stability, progress and credit of the Territory depend, is its financial condition. That the income provides for the expenditures, the public debt not allowed to become burdensome, taxation equably apportioned, and the public credit inviolably protected, are the basic questions upon which the permanent welfare of Arizona and our claims for self-government principally rest.

In the reports of the Auditor and Treasurer, herewith, will be found very full and explicit information upon the present condition of the Territory's finances. Your careful examination of these reports and the recommendations they contain is requested.

According to the report of the Board of Equalization, the Territory has the following assessed taxable property:

Taxable land, 3,733,150.86 acres.....	\$ 5,825,566.71
Improvements thereon.....	1,586,950 36
City and town lots	3,875,915.20
Improvements thereon.....	3,838,552.80
Horses, 40,183	723,112.00
Mules, 1,365.....	31,029.80
Asses, 1,550.....	10,498.50
Cattle, 397,240.....	4,158,364.25
Sheep, 399,968.....	799,936.00
Goats, 14,568.....	29,136.00
Swine, 9,097.....	24,604.25
Railroads, 992.558 miles.....	5,121,627.60
All other property.....	5,130,970.59
Total.....	<u>\$31,473,540.06</u>

The average valuation is :

Land, per acre.....	\$ 1.56
Horses, per head.....	18.24
Mules, per head.....	22.73
Cattle, per head.....	10.41
Goats, per head.....	2.00
Hogs, per head.....	2.70
Asses, per head.....	6.77
Sheep, per head.....	2.00
Railroads, per mile.....	5,160.00

The valuation in some instances is very low, and when values are low the rate is of necessity high. I believe the system of low valuation and high rates altogether wrong and misleading, and in no wise beneficial to the taxpayer. The rate of taxation differs in the counties, but the average rate throughout the Territory is about \$3.50 on the \$100, eighty cents of which is for Territorial purposes only.

STATEMENT OF THE BONDED AND FLOATING INDEBTEDNESS OF THE TERRITORY, DECEMBER 31, 1898.

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DATE	TITLE	Time years	Rate per c't.	AMOUNT
July 1, 1885.....	Insane Asylum Bonds.....	20	7	\$ 90,000.00
Nov. 1, 1885.....	Wagon Road and Bridge Bonds.....	15	8	12,000.00
May 15, 1885..	Gila Bridge Bonds.....	15	8	15,000.00
Jan'y 1, 1887...	Arizona University Bonds.....	20	7	14,000.00
Jan'y 15, 1888..	Territorial Funding Bonds.....	25	6	150,000.00
July 1, 1892.....	World's Fair Bonds.....	20	5	30,000.00
July 15, 1892...	Territorial Funding Bonds.....	50	5	2,000,000.00
Jan'y 15, 1896..	Territorial Funding Bonds.....	50	5	269,000.00
June 1, 1898.....	Capitol Building Bonds.....	50	5	100,000.00

\$2,680,000.00

Deduct County and City indebtedness funded..... 1,634,027.57

Bonded debt account of Territory..... \$1,045,972.43

Floating debt (General Fund warrants)..... 255,112.73

Total Territorial indebtedness..... \$1,301,085.16

Cash in hands of Treasurer available for the redemption of outstanding Territorial indebtedness..... 161,950.00

Net Territorial indebtedness..... \$1,139,135.11

BIENNIAL MESSAGE

COUNTY AND CITY FUNDED INDEBTEDNESS.

Apache County.....	\$ 43,473.50
Coconino County.....	159,000.99
Graham County.....	147,364.70
Gila County.....	44,781.36
Maricopa County.....	267,636.43
Mohave County.....	105,363.29
Pima County.....	210,240.05
Pinal County.....	136,138.08
Yavapai County.....	310,153.78
Yuma County.....	88,791.11
Prescott city.....	91,261.90
Tucson city.....	16,000.00
Tombstone city.....	13,812.38
	\$1,634,027.57

It will be seen from the foregoing that the Territory has bonds yet outstanding bearing a higher rate of interest than 5 per cent, as follows:

Insane Asylum bonds, 7 per cent, due in 1905.....	\$90,000
Wagon Road and Bridge bonds, 8 per cent, due in 1900.....	12,000
Gila Bridge bonds, 8 per cent, due in 1900.....	15,000
Arizona University bonds, 7 per cent, due in 1907.....	14,000
Territorial Funding bonds, 6 per cent, due in 1913.....	150,000
	\$281,000

All of which can no doubt be exchanged into 5 per cent, 50-year, refunding bonds at or before maturity, if the people prefer that course to being taxed for a sinking fund with which to pay off and redeem the bonds at maturity.

It will also be seen from the foregoing tables, which are official and reliable, that there has been funded into 5 per cent Territorial bonds county and municipal indebtedness amounting to \$1,634,027.57; and as practically all county and municipal securities, before they were funded, bore 10 per cent, a saving in interest has resulted to the counties and municipalities by refunding of \$80,000 annually.

There has been funded in the Territorial debt proper, bonds and warrants amounting to \$634,000, a large part of which bore 10 per cent before funding, upon which 5

per cent was saved. It has been carefully estimated that refunding has saved to the Territory, in interest upon the Territorial debt proper, at least \$29,000 annually; which, added to the saving in interest upon the county and municipal debt funded, amounts to \$109,000 saved in annual interest as a result of the operations of the funding law and the Loan Commission.

Unless Congress should further extend the right to fund the floating indebtedness of the Territory until some future date, no more bonds can be sold to take up the unredeemed warrants issued since January 1, 1897. It is hoped that with an economical administration of affairs and a proper assessment and collection of taxes, the Territory will soon have no floating debt, and that the public business will be conducted on a cash basis.

A late sale of the funding bonds of the Territory at par and accrued interest, from the proceeds of which a large amount of floating indebtedness was canceled, is especially gratifying, for the reason that persistent effort had been made by my predecessors and others for several years to dispose of these securities without success, partly on account of the stringent money market, and partly on account of lack of confidence in the Territory's ability to repay. I am pleased to be able to inform you that the credit of the Territory is now firmly established and our securities are in demand.

I invite your attention to the report of the Loan Commission for a detailed statement of its transactions.

TAXATION AND REVENUE.

The greatest problem with which you are confronted is, in my judgment, how to devise an improved system for the assessment and collection of taxes, that the revenue of the Territory may be sufficient for the needs of government, and to protect and maintain the public credit. *All property subject by law to taxation should be assessed.* I contend that if all the property in the Territory subject to taxation were assessed at a proper valuation, the people who now bear the burdens of government—which are

unequally distributed—would pay less than they do under present conditions. Some kinds of property are specifically exempt by law, and whether or not the policy which authorized the exemption was wise, the law and the contract is none the less binding upon the Territory, and must be accepted. But a comparatively small proportion of the personal property in the Territory is taxed. Under our system, money, securities, jewelry, valuable household furniture, and a large amount of personal property of every nature and description, escapes taxation altogether. To accuse an honorable citizen of perjury who does not pay taxes upon his personal property, would be extremely harsh, but a large majority of our citizens are unquestionably guilty of constructive perjury—not intentionally so, but when a blank statement is handed to them by an assessor upon which to list their taxable property, and at the bottom of which is an oath which they must sign, they are guilty of constructive perjury if they do not list *all* their taxable property. The small real estate owner, the farmer, the grazer with a small band of cattle or sheep, cannot escape; they must pay, and frequently upon greater values than their property will sell for, but the wealthy cattle or sheep owners with large droves grazing upon untaxed public domain, do not always return to the assessor *all* of their property. The great corporations and the wealthy mine owners too often evade bearing their just proportion of the cost of maintaining the government which protects them. Simple justice, nothing more, demands the equitable apportionment of taxes.

If railroads increase in value, if their traffic becomes greater and their earnings larger, if their stock is valued higher upon the stock exchange, based upon legitimate increase, then there is no good reason why their valuation for the purposes of taxation should not be increased. It will not be contended that these values are stationery. Either the profits of mines or a proper value upon dividend-paying mines should also be assessed. There can be no possible justification for permitting great producing mines to escape contributing to the revenues of the Territory. (It is frequently stated that mines worth

\$100,000,000 in Arizona, and which pay interest to their owners on that amount, do not pay taxes upon a valuation for all their property, real and personal, of \$2,000,000. This is wrong, and in no way can the proposition be defended that great riches in gold, copper and silver dug from Arizona ground and distributed as dividends in the East and in Europe should not be taxed in some form within the Territory.

The subject should be treated fairly and in the proper spirit, and no extreme nor unreasonable measures adopted, and it is believed that if this class of property can be reached justly, without resorting to inquisitorial procedure, that the wealthy mine owners of the Territory will see the justice of paying a fair tax upon their property or profits.

No kind of property should escape taxation, unless specifically exempted by law, and I assert, without fear of successful contradiction, that if all the property in Arizona which should be taxed were assessed and properly valued, the rate of taxation would be lower here than in a majority of the most prosperous States.

Assessors should be appointed or elected, men of ability and force of character, to assess property. They should be given ample time and liberally compensated. The practice of copying the old lists and books year after year, and never actually assessing, is reprehensible. There are many reforms necessary in our system of the assessment and collection of taxes and revenue provisions which should receive attention from you, and I recommend that you investigate the matter thoroughly. Should you correct the defects in our revenue system, and nothing more, you will serve your constituents well.

BOARD OF CONTROL.

The Board of Control was created by Act No. 19 of the Eighteenth Legislature, and consists of the Governor, Auditor and a citizen member of the opposite political party from the Governor.

The Act creating the Board, and the amendments thereto, define its powers and duties and abolish the Board of Prison Commissioners, and the Insane Asylum and Reform School Directors, conferring the powers previously exercised by those commissioners and boards upon the Board of Control. The law also gives authority to the Board to lease buildings and lands belonging to the Territory and execute contracts for the employment of convict labor; and by Act No. 56 of the Nineteenth Legislature, the Board is required to audit all claims against the Territory.

With some amendments to the Act, limiting the powers of the Board and providing for a different membership, I believe the law wise and economical. Certainly a board of three men can operate more economically than can three boards of three men each; which opinion is vindicated by the report of the secretary of the Board herewith. I question the propriety, if not the right, of the Legislature to impose onerous duties upon the executive, for which he can receive no compensation. As Governor, my duties are such as to make it impossible for me to give the time and attention to the work of the Board of Control that should be given by an active member, and the same is true of the Territorial Auditor. As the business and population of the Territory increases, the duties of the officers become more arduous. This is especially true of the Auditor. He does not now receive sufficient compensation, nor is proper provision made, in my judgment, for his clerical and other necessary office expenses. He is now required to finally audit and pay claims against the Territory, and is responsible upon his bond under the law. The Governor countersigns all warrants authorized to be issued by the Board, and cannot give the business of the Board his time and attention. I therefore recommend that the law be so amended as to relieve the Governor and Auditor from membership on the Board, and that the Governor be authorized to appoint three members from the citizens of the Territory, two of the same political party, and the other as is now authorized by law. With the Act thus amended, the powers of the Board modified and restricted so as to conform

practically to the laws governing the original Prison Commissioners, Insane Asylum and Reform School Directors, I recommend its continuance.

REVISION AND CODIFICATION OF THE LAWS.

As many ambiguities and defects exist in the statutes of the Territory, and as the laws are not sufficiently homogeneous as at present compiled, I recommend that a Code Commission be authorized, non-partisan in character, to consist of three attorneys learned in the law, whose duty shall be to codify and revise the laws of Arizona and report the results of their labors to the next or Twenty-first session of the Territorial Legislature; and I further recommend that said Commission be authorized to employ a clerk to assist in the work of revision. The Commission to be governed by such limitations and restrictions as to compensation, clerk hire and other expenses as your honorable body shall see fit to impose.

AMENDMENTS TO THE ELECTION LAWS.

It is contended, and I think properly, that our present election laws are too loosely drawn, and that it is possible to defeat the will of the people with comparatively little danger of detection and punishment. The system now in force undoubtedly invites fraud and should be amended. Voters should, in my judgment, be required to register and vote in the precinct where they reside, and the great register should show precinct registrations. Voters should be required to live in a precinct at least thirty days next preceding an election, before being qualified to vote thereat. Transfers should not be permitted later than ten days next preceding an election. The law should provide for "registration days," not to exceed three, and places of registration should be designated in each precinct, and the proper registering officers provided. The form of ballot should be improved and misleading vignettes not allowed.

These changes in the law appear to me important and necessary; no doubt there are others equally important, which may occur to you. Every protection should

surround the highest privilege of American citizenship, and to insure, so far as possible, the purity of the ballot should be a sacred duty. I earnestly recommend this subject to your careful consideration.

FEMALE SUFFRAGE.

I recommend that the rights of franchise be extended to women within the Territory. I believe the participation of women in the affairs of government would have an elevating influence and insure a higher tone of public sentiment. It is claimed by many that a majority of women do not desire to vote. If enfranchised, the exercise of the privileges bestowed would not be compulsory. Upon admission as a State suffrage to women could be accepted or rejected by a vote of the people upon the Constitution.

ELECTION OF MEMBERS OF THE BOARD OF EQUALIZATION AND THE BOARD OF CONTROL BY THE PEOPLE.

It was my intention to recommend that districts be created from which members of the Board of Control and of the Board of Equalization could be elected, not only because I prefer to be relieved of the embarrassment and responsibility of the patronage involved, but I believe the Territorial system of government wrong in so far as it denies to the people a voice in the selection of their official agents, especially after a Territory is qualified by wealth, intelligence and population for self-government; but upon careful investigation I find that the law specifically and absolutely declares against the legality of such elections during the Territorial condition, as the following opinion of the Attorney-General clearly determines:

OFFICE OF THE ATTORNEY-GENERAL, }
PHOENIX, ARIZONA, January 12, 1899.

Hon. N. O. Murphy, Governor of Arizona:

MY DEAR SIR:—Referring to your communication of January 12th, in which you ask to be advised if under

the statutes and organic Act of this Territory it would be competent and legal for the Twentieth Legislative Assembly to create districts from which could be elected members of the Board of Control and members of the Territorial Board of Equalization; and if, under the organic Act, the Legislature has the power to create such districts and make it legal and proper to elect as district officers members of the Board of Equalization and members of the Board of Control, would say: That the questions here involved depend upon, first, whether these officers are Territorial officers or township, district and county officers. If they are Territorial officers, the Legislature would have no power to provide for the manner of their election or appointment, for the reason that the organic Act of the Territory, section 1857, expressly provides that all other officers, except township, district and county officers and justices of the peace and general officers of the militia, shall be appointed by the Governor, by and with the advice and consent of the Legislative Council of the Territory. In my opinion, neither the members of the Board of Control nor the members of the Territorial Board of Equalization are township officers, nor district officers, nor county officers within the meaning of the provisions of the section of the organic Act above quoted. These are not in any sense local officers; they are general officers, whose duties concern and pervade the entire Territory of Arizona, and whose functions are performed for the benefit of the whole Territory. They may, no doubt, be created by the Legislative Assembly, but when so created they become Territorial officers, and the Governor alone, by and with the consent of the Legislative Council, has the power to fill these offices by appointment.

A similar question to the one here involved was before the Supreme Court of the United States, in the case of Clayton vs. The Territory of Utah, 132 U. S., p. 632. The question there involved was, whether the Legislative Assembly of the Territory of Utah could authorize the election of Auditor of Public Accounts. There the organic Act is substantially the same as above quoted, and the Court, speaking upon this question, said:

“All township, district and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Utah.’ This defines very clearly the power of the Legislature of Utah in providing for appointments to office. The next sentence in the same section declares that the Governor shall nominate and, with the advice and consent of the Council, appoint all officers not herein otherwise provided for; that is to say, all officers of the Territory who are township officers, district officers or county officers, shall be appointed in such manner as shall be provided by law, namely, by a statute made by the Governor and Legislative Assembly of the Territory; but all other officers, all which are not local or confined in their duties to some particular township, district or county, shall be nominated by the Governor and by and with the advice and consent of the Council appointed.

“That this mode of dividing the power of appointing to offices within the Territories is one to which Congress attached importance, is seen by the fact that it was subsequently adopted in the organic Acts establishing the Territories of Washington, Colorado, Arizona, Dakota, Idaho, Montana and Wyoming; and it is reproduced as applicable to all the Territories by section 1857 of the Revised Statutes.”

Section 1857, above referred to, is our organic law on this subject. The Court in that case further said:

“The office in question is not a township office, nor is it a district office, nor is it a county office. It is not in any sense a local office. It is a general office, whose duties concern and pervade the entire Territory of Utah, and whose functions are performed for the benefit of the whole Territory.

“The sixth section of the organic Act is relied on as conferring upon the Legislature of Utah the authority to pass the Act of 1852 and the Act of 1878 in question. The language of Section six of that Act is ‘that the legislative power of said Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the *provisions of this Act*,’ and it is immediately following this section that it is declared that the Governor shall nominate, and by and with the advice and consent of the Council, appoint all officers of the Territory, except township, district and county officers. The inconsistency of an Act which declares that the Legislature shall appoint these officers, or that they shall be appointed by a popular election, with an express provision of the organic Act that they shall be nominated by the Governor, and appointed by him with the consent of the Council, is too obvious to require illustration. The Governor of the Territory, the Secretary of the Territory, the Judges of the Territory, the United States Marshal and the United States District Attorney, are all appointed by the President—these all being general officers, and not local. The law then continues this control of the Federal authorities

over the officers in the Territory, by declaring that whenever the office is a general office and pervades the whole Territory, and is not a township, district or county office, the appointment shall be made by the Governor. It is utterly inconsistent both with the policy and the express language of the statute, that the Legislature of the Territory of Utah can change the appointing power and vest it in any other body whatever, however popular, or that, in the creation of offices of this general character, whose duties and functions pervade the whole Territory, they can confer the appointing power upon anybody else but the Governor and Council."

The Act above referred to as conferring powers upon the Legislature of the Territory of Utah by the organic Act of said Territory, is substantially the same as our organic Act on this subject, as will be seen from Section 1851, which is as follows:

"The legislative power of this Territory extends to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States, but no law shall be passed interfering with the primary disposal of soil; no tax shall be imposed upon the property of the United States, nor shall the lands or other property of non-residents be taxed higher than the lands or property of residents."

I am therefore clearly of the opinion that it would not be competent or legal for the Twentieth Legislative Assembly to create districts from which could be elected members of the Board of Control, or members of the Territorial Board of Equalization, and that the Legislature has no power to create such districts for the purpose of making these officers elective as district officers, either the Board of Equalization or Board of Control.

Yours very respectfully,

CHARLES F. AINSWORTH,

Attorney-General.

From the foregoing it is clearly apparent that the Legislature has no power to create districts from which to elect members of the Board of Control and of the Board of Equalization, or any other officers whose duties relate to, and are connected with, the Territorial government. In other words, Territorial officers cannot be legally elected from districts.

In reference to the Board of Equalization, it has been suggested that the present law should be so amended as to make the Board consist of twelve members, each the chairman of a county Board of Supervisors. This proposition is met by the same legal obstacles as the other. County officers are elective, and their duties pertain to the county in which they reside, and the members of the Territorial Board of Equalization must, under the law, be appointed. The Legislature unquestionably has power to abolish the Board altogether, or to so amend the law as to circumscribe the duties and restrict the power of the members. The Board of Equalization assesses railroads and equalizes values as between counties. Should the duty of assessing be taken away, the Board would still have the power to equalize, and could adjust values, no matter how they were assessed; therefore, nothing would be gained by taking away the power of the Board to assess. If the Board should be abolished altogether, and no way provided to equalize values as between counties, a very unsatisfactory and chaotic state would soon exist; each county would naturally seek to protect its own interests, whether the taxes for the maintenance of Territorial institutions and government were fairly distributed or not.

The chief objection to the existing law seems to be that the Board of Equalization assesses railroads, and it is charged that this kind of property has not been properly valued, and that each county should have the right to assess the roads within its confines. Even if this were authorized, equalization would be necessary, and the assessments would be controlled by the equalizing power, which is conceded by all thinking citizens to be necessary. I believe the present law a wise one, and as good as can be devised, so long as the organic restrictions of Territorial government exist; and if there has been fault, it has been in the execution of the law and not in the law itself. It would be far more preferable to me if the members of these Boards were elective, so that the people could be responsible for the agents they select. The most embarrassing and trying responsibility connected with the executive office, is the distribution of patronage and the

appointment of worthy and capable citizens as public servants. The people are not always appreciative of the difficulties attending the selection of their official agents, and over-zealous partisans are often too prone to mislead by incorrect assumptions of both law and fact.

TERRITORIAL PRISON.

This most expensive institution is now being conducted ably and as economically as the conditions surrounding it will permit.

By reference to the report of the Superintendent it will be seen that during the last half of 1898 many extraordinary expenditures were actually necessary, because the equipment of the prison—clothing, bedding, etc.—had been permitted to become improperly reduced. Very much of the increased expense of conducting the institution during 1897 and 1898 is directly chargeable to the operation of the so-called "prison contract," of which so much has been said and written, and with the conditions of which the people are familiar. In my judgment, this contract operates as a gross imposition upon the taxpayers, in that, under its terms, the Territory must clothe and guard the convicts while at work at a distance from the prison, which not only increases the expense of maintenance, but affords opportunities of escape, and pursuit and efforts at recapture are always heavily expensive. During the year next preceding the appointment of the present Superintendent more convicts escaped from the penitentiary than during the entire previous life of the prison. These escapes are not charged to incompetence on the part of the prison management, but particularly to the working of the contract referred to. The contract is entirely deficient as to adequate consideration and compensation to the Territory for the labor employed, and up to the present time no return whatever has come to the treasury on account of prison labor used by the beneficiaries of this contract; which matter is now in the hands of the Attorney-General, for such action as can legally be taken to protect the Territory. In my judgment, the contract is altogether defective and unworthy of official

recognition, and unless required to do so by the mandate of a court of competent jurisdiction, I shall not recognize it as legal and binding upon the Territory. It will be seen from the report of the Attorney-General that the Supreme Court of the United States will soon determine the question.

As the Territory increases in population the inmates of the penitentiary naturally increase in numbers, and the expense of maintenance is accordingly greater. If some plan can be devised whereby the labor of the convicts can be utilized to help defray the cost of maintaining the prison, without interfering with the earnings of free wage-workers in the Territory, it will be a great relief to taxpayers. I will heartily co-operate with you in any legislation which will bring about such a result. I commend the report of the Superintendent, and concur with the recommendations it contains.

I also earnestly request the adoption of the recommendations of the Auditor that a special tax be levied to meet the expenses of the prison, and a prison fund created, instead of drawing on the general fund, as is now being done. It can make little difference to the taxpayers, as a large levy has now to be made on the general fund account, which could be reduced, and warrants outstanding upon that fund draw 10 per cent interest. I believe it would be far better for the Territory if each institution could have a fund of its own for maintenance. I also recommend that the expenses of the prison be settled monthly, instead of quarterly, as is now the practice.

INSANE ASYLUM.

I submit herewith the report of the Superintendent of the Insane Asylum, which sets out in detail the condition of the Asylum. As in the case of the prison, the present management has been but a short time in control, and as many radical changes and improvements have been made, quite heavy expenditures have been incurred. Further improvements are no doubt necessary, in order to derive the maximum advantages to the unfortunates there confined.

I believe that the officers are capable and worthy, and that the institution is well conducted.

The number of inmates has increased considerably in the last few years, and it may be that the capacity of the building should be enlarged. I recommend that a committee be appointed to investigate the matter, to the end that the greatest advantages possible can come to the unfortunate inmates who are so sadly afflicted. What was a sufficient tax to maintain the Asylum a few years ago may be insufficient now, when added numbers have to be provided for; and I think the Asylum fund should be made sufficient for all purposes connected with the institution, so that drafts upon the general fund to cover deficiencies may not be necessary.

Your attention is invited to the report of the Superintendent, the recommendations of which are concurred in.

EDUCATIONAL.

The University at Tucson and the Normal School at Tempe are highly creditable institutions, and of incalculable benefit to the Territory. The managements show a very high order of ability, entirely satisfactory to their patrons.

The advantages of an advanced educational system can hardly be over-estimated. Our common schools cannot be excelled anywhere in the Union.

Many improvements have been made in buildings at the University and at the Normal School during the last two years, and it may be that others are necessary. I concur in the recommendations made by the officers of the institutions, and I urge you to legislate liberally in their behalf.

CAPITOL BUILDING.

Act No. 9 of the Nineteenth Legislature authorized the erection of a capitol building at Phoenix, to cost \$100,000, and bonds amounting in value to that sum, to be known as Capitol Building Bonds, were authorized to be

issued. Congress ratified and confirmed the Act, and the bonds were issued. The following extract from the report of the secretary of the Commission explains what has been done to date:

"The records of the preceding Commission show that these bonds were issued and sold to C. R. Mayers, Columbus, Ohio, at par. A commission of $2\frac{1}{2}$ per cent was allowed to C. R. Mayers for making the sale. The proceeds of the sale of the bonds were received by the Territorial Treasurer on or about August 16th, 1898. The present Commission organized August 19th, 1898, by electing E. B. Gage chairman and F. H. Parker secretary, with Walter Talbot member. The Commission, acting on advice from the Attorney-General, re-advertised for plans for a capitol building, to be erected at a cost not to exceed \$100,000.

"On November 1st, 1898, the Commission proceeded to select, from sixteen different sets of plans, the one which they thought was best adapted to suit the requirements for Arizona's future capitol. The plan selected is so arranged as to answer all present requirements, and will admit of future additions without detracting from the appearance of the building.

"Sealed proposals for the erection of the capitol building were received and opened January 10th, 1899. After considering the different bids, the contract was awarded to Thomas Lovell, of Denton, Texas. The law allows Mr. Lovell twenty days in which to perfect his bond, so that at this date the contract is not completed.

"The amount of Mr. Lovell's contract will be \$95,000, in addition to which we have superintendent's salary, architect's fees, clerk hire, advertising and other incidental expenses, which will amount to something more than our appropriation.

"The building ought to be of fire-proof construction, and should have heating apparatus and an elevator, all of which we have been obliged to leave out, but hope the present Legislature will allow us means to add them to the building, so as to make a first-class, safe and modern building that we may all be satisfied with and proud of."

The commissioners have been able, conscientious and untiring in the performance of their duty under the law, and are entitled to the grateful appreciation of the people. Positions of this kind are nearly always inadequately compensated, and the embarrassment attending an impartial discharge of the responsibility involved is not always properly considered. In this case our citizens are certainly to be congratulated upon the manner in which the duties of the Commission have been performed.

I agree with the hope expressed in the report of the secretary that you will authorize a tax levy sufficient to meet any deficiency in the completion and furnishing of the building in a modern and approved way, and I recommend that you appoint a committee to confer with the Commission upon the subject.

THE REFORM SCHOOL OR HOSPITAL FOR THE INSANE.

By an Act of the Seventeenth Legislature a reform school building was authorized to be constructed at Flagstaff, in which to care for the vicious youth of the Territory, and provision was made for the expense of construction by special tax levy. Act No. 25 of the Nineteenth Legislature, entitled "An Act to establish a home for the insane near Flagstaff, Arizona," provides that the tract of land now held in fee simple by the Territory of Arizona, located near Flagstaff, Coconino County, being about one hundred and thirty acres of section twenty-one (21), in township twenty-one (21) north, range seven (7) east, Gila and Salt River meridian, secured by virtue of Act No. 81 of the Seventeenth Legislature, and the building located on said land, now under construction, heretofore known as the Reform School, shall be devoted to the uses and purposes of the Home for the Insane, and provision is made in the Act for the operation of the "Home."

A fine building has been erected, by far the largest and finest in the Territory, and the work upon it has been first-class in every particular. The building is not yet finished, although \$33,116.02 has been expended thus far in its construction. There is now in the treasury \$12,800, and there will be approximately \$9,000 more available from incoming taxes during the present month, making \$21,800 in all, with which to complete the building. This amount will no doubt be sufficient, except possibly for furnishing, although that depends largely upon the use to which the building is put. I do not think it practicable nor expedient to use the building either as a Reform School or a Home for the Insane. We have very few vicious youth in the Territory, and it is very probable that arrangements can be made for their care in the Reform

School of Southern California upon terms more advantageous in every way than to maintain a separate institution for them here; or, if it should become necessary, to provide for them within the Territory, an annex to the Penitentiary, or to some of our educational institutions; could be constructed for the purpose, which would suffice for many years, and which would not be expensive to maintain. As to the building being used as a Home for the Insane, a branch Asylum, so to speak, I do not think the expense of maintaining such an institution justifiable. I do not think the Territory can afford to conduct two asylums for the insane at this time, and if the inmates of the present Asylum were to be all moved to the Flagstaff building and maintained there, disposition would have to be made of the Asylum building, improved grounds and 160 acres of very productive land in Maricopa County. The land upon which the Flagstaff building is located is not productive and cannot be made to contribute to the maintenance of an Asylum, and the general expense of supplying and caring for the insane would be much greater in Coconino than in Maricopa County. It may be contended that for climatic reasons it would be more humane to keep the unfortunate patients in the north, especially in summer, but this is disputed, and under the circumstances, for economic reasons especially, cannot well be considered.

The fact remains that a very fine building, nearly completed, with money available to finish it, is owned by the Territory at Flagstaff, and the question to be decided is, for what purpose can it be best and most beneficially used? It has been suggested that it should be finished for an educational institution and used as a "Normal School North." I believe such a school would be well patronized, and if the building is to be finished and maintained as a Territorial institution of any kind, I recommend that it be used as a Normal School, and a fund be provided by taxation for its support. I believe, however, that it would be best, if possible, to sell the property, if purchasers can be found who will pay enough, or nearly enough, to reimburse the Territory for the money already expended for construction. The cost of finishing the

building will not be great; it is the annual tax upon the people for maintenance of any kind of a public institution that should be considered.

I recommend that such specific and mandatory legislation be had as will invest the proper officers of the Territory with authority to definitely provide for the disposition or use of the Flagstaff building.

A detailed account of work and expenditures upon the building will be found in the report of the secretary of the Board of Control.

TERRITORIAL LIBRARY.

I recommend that the condition of the Library be thoroughly investigated by a committee of your honorable body, and that the proper steps be taken to rearrange and catalogue the books and protect this valuable property from further spoliation and vandalism. It is charged, and the evidence is apparently reliable, that hundreds of Territorial books have been taken away by unauthorized persons and never returned, and that books filched from this Library can be found in many attorneys' offices in Los Angeles, as well as in Arizona.

I think a suitable person should be selected to look after and procure the return of the books, and that a reasonable appropriation should be made therefor, as well as for cataloguing and arranging the books and putting the Library in proper order in the new capitol building, which will no doubt be completed and occupied before the covention of the next Legislative Assembly. This is not a new subject, but one that has confronted every Legislature for years, nor is it the fault of the present Librarian; he has kept the Library in exceptionally good condition under the circumstances. Inadequate appropriations, insufficient space and apparent indifference and lack of attention on the part of the Curators seem to be the principal faults.

I recommend that such action now be taken, such regulations provided by law, and such penalties imposed for a violation thereof by persons officially responsible as will insure proper care of the Territorial books.

LIVE STOCK MATTERS.

From information received from prominent citizens all over the Territory, who are engaged in the cattle and grazing industry, it is evident that the present law in relation to live stock interests is eminently satisfactory. I refer to Act No. 6 of the Nineteenth Legislature. I believe this law to be sufficient in every way, except that probably butchers who do business in the larger towns of the Territory should be required to slaughter at the same place near each town where they are engaged in business, in order that a more perfect system of inspection can be had. Should legislation be decided necessary upon this question of inspection, it should be had by a specific Act, and in my judgment no change whatever should be made in the law by any amendment of Act No. 6 referred to.

WATER STORAGE.

It is clearly evident that much further progress in the development of agricultural lands and the promotion and proper protection of the farming interests of the Territory depend upon the storage of water, and an intelligent conservation and equitable distribution of the present supply throughout the localities dependent upon irrigation. I deem it of the greatest importance that some plan be devised to expedite and insure water storage, and that legislation be had to aid and encourage the construction of reservoirs, and for the purpose of controlling and regulating the distribution of water.

WORLD'S EXPOSITION.

A World's Exposition will be held in Paris, France, in 1900. An exhibition there of evidences of Arizona's resources, and the proper representation of our great advantages in climate, mineral, agricultural, grazing and forest wealth would, in my judgment, be very beneficial to the Territory. Other States and Territories are actively moving to provide for an exhibition at the fair. It now devolves upon you to say in what manner and to what extent the industries and resources of Arizona should be shown at Paris.

The Trans-Mississippi Exposition, which was held at Omaha, Nebraska, last year, proved a great success in every way, and of great advantage to the localities represented. It is now proposed to supplement the work of that fair by holding a Greater America Exposition at Omaha this year. The buildings and grounds have been fully preserved, and the regulations of the management provide for free space for State and Territorial exhibits. From the energy and reputation of those who have this enterprise in charge, I believe it will probably be a greater success than its predecessor, and I recommend that the Territory be authorized to prepare an exhibit for Omaha, and that you provide by legislation therefor; and it would no doubt be wise to provide that, after representation at the Greater America Exposition, the exhibits be removed and shown at Paris, thereby enabling a double service. Your investigation of this subject is requested.

TERRITORIAL OFFICERS.

All the officers of the Territory have performed their duties ably and well. With the growth of the Territory, its increased needs and official business, the duties of the officers necessarily become extended; more clerical assistance is necessary and office expenses are greater. It is not consistent with good government to be parsimonious with appropriations for the legitimate expenses of the people's servants, nor can the best results be secured to the taxpayers by false economy in the compensation and expenses of public officers.

Several important changes are, in my judgment, absolutely necessary in the offices of the Auditor and Treasurer, to better protect the common interests. A more improved and modern system of accounts should be adopted, new books should be prepared, so that a more perfect exhibit can be made at any time of Territorial financial affairs, and a complete check be had between the Territory, the officers and the counties. In my opinion, there never has been at any time during the history of the Territory a proper accounting system in the two most important offices—those of the Treasurer and Auditor.

It will no doubt require some expense to properly remedy the defects, and these officers should be aided by you in accomplishing these very necessary reforms. I earnestly recommend that you appoint a committee at an early date to confer with the Auditor and Treasurer, investigate their offices and discover and report to you the needs which are most urgent.

I believe the expense fund of the Attorney-General's office should be increased, and I concur with the recommendations contained in his report in that respect.

REPORTS OF TERRITORIAL OFFICERS.

The law now requires that the reports of Territorial officers be furnished the Secretary of the Territory by January 10th, and that he shall advertise for bids for printing them for fifteen days, under which provisions it is impossible for the printed reports to reach you much before January 25th. I recommend that the law be amended so as to require that the reports be rendered and printed by January 15th of each legislative year.

ARIZONA PIONEERS HISTORICAL SOCIETY.

Act No. 53 of the Nineteenth Legislature made liberal provision for the Historical Society of Arizona Pioneers, and prescribed suitable regulations under which the society should be governed. The money appropriated for the purposes of the organization, as set out in the Act, it is alleged was misappropriated by the president of the society. I deem it of the utmost importance that Arizona's history be preserved and perpetuated, and that steps should be taken to prepare authentic data in relation to the early history of the Territory. All living witnesses will soon be gone and the opportunity lost of obtaining reliable information upon this very important subject, unless all written evidence is preserved. I think the Arizona Pioneers Historical Society is worthy of encouragement and help, and I recommend that you investigate the status of the organization, with a view of authorizing the society, if it is found capable, to prepare

an authentic history of the Territory. Encouragement should certainly be given for the purpose, providing the proper person or persons can be found to do the work.

CONTINGENT EXPENSES FOR GOVERNOR'S OFFICE.

The compensation allowed the executive by law is insufficient and entirely inconsistent with the responsibility which attaches to the office. Not only have the duties increased, but the expenses are much greater than formerly. I therefore recommend that you appropriate \$1,000 for the contingent expenses of the Governor's office for two years.

In closing this communication, I wish to assure you that it is my purpose to co-operate with you heartily in promoting wise and beneficial legislation, and I will communicate with you by special message from time to time during the session as matters of public importance are brought to my attention.

Herewith are such official reports as are now available, together with a list of pardons, requisitions, etc., granted by my predecessors and myself during the biennial period.

Respectfully submitted,

N. O. MURPHY,

Governor.

PARDONS.

THE FOLLOWING-NAMED PRISONERS HAVE BEEN PARDONED SINCE THE LAST SESSION OF THE LEGISLATURE.

NAME	CRIME	DATE SENTENCE	TERM	PARDONED
Granted by Gov. B. J. Franklin:				
Charles Gallagher.....	Forgery.....	June 7, 1895	2 years	Feb. 4, 1897
Alexander Savada.....	Grand larceny.....	Oct. 11, 1895	2 years	Feb. 6, 1897
Jose Leon Lucero.....	Assault.....	Oct. 10, 1894	40 years	Feb. 6, 1897
Peter Bunyon.....	Burglary.....	Mar. 17, 1896	13 years	Feb. 6, 1897
Jesus Gil.....	Burglary.....	Dec. 19, 1894	36 years	Feb. 6, 1897
Juan Garviso.....	Manslaughter.....	April 28, 1894	8 years	Feb. 11, 1897
George Woods.....	Burglary.....	Dec. 20, 1894	39 years	Feb. 17, 1897
Frank Woodson.....	Assault.....	June 15, 1896	14 mos.	Feb. 27, 1897
William Tyree.....	Grand larceny.....	Nov. 27, 1895	2 years	Mar. 3, 1897
Albert Smith.....	Rape.....	May 22, 1895	5 years	Mar. 3, 1897
Samuel Gray.....	Manslaughter.....	June 15, 1894	5 years	Mar. 11, 1897
J. W. Robinson.....	Burglary.....	Oct. 23, 1896	1 year	Mar. 11, 1897
Frank Bloodgood.....	Seduction.....	Oct. 22, 1896	2 years	Mar. 11, 1897
J. Menier.....	Forgery.....	Nov. 23, 1895	16 years	Mar. 22, 1897
George Russell.....	Concealed weapons.....	Mar. 13, 1897	50 days	Mar. 23, 1897
Samuel Pollock.....	Forgery.....	May 18, 1896	13 mos.	April 9, 1897
Robert G. Apsey.....	Manslaughter.....	Oct. 18, 1890	10 years	April 9, 1897
E. B. Morales.....	Passing forged instrument.....	May 1896	13 mos.	April 9, 1897
Zack Booth.....	Burglary.....	Nov. 8, 1893	5 years	April 15, 1897
George Wilson.....	Robbery.....	Nov. 23, 1894	9 years	June 8, 1897
Charles Wagner.....	Murder.....	May 1894	40 years	June 12, 1897
James A. Harrison.....	Burglary.....	Oct. 18, 1895	2 years	June 16, 1897
Daniel H. Davis.....	Burglary.....	Oct. 19, 1895	2 years	June 16, 1897
John Mitchell.....	Burglary.....	Nov. 8, 1895	2 years	July 6, 1897

PARDONS—CONTINUED.

NAME	CRIME	DATE SENTENCE	TERM	PARDONED
Granted by Gov. M. H. McCord:				
Frank Slinkard.....	Burglary.....	April 30, 1895	3 years	Aug. 27, 1897
Charles Wilkes.....	Resisting officer.....	Nov. 14, 1897	10 mos.	Sept. 12, 1897
Alfred Lawson.....	Burglary.....	May 15, 1895	3 years	Sept. 12, 1897
Walter Lewis.....	Burglary.....	May 15, 1895	3 years	Sept. 13, 1897
William McLeod.....	Burglary.....	Feb. 20, 1897	7 mos.	Sept. 18, 1897
Ramon Bernal.....	Burglary.....	Nov. 27, 1895	33 mos.	Sept. 30, 1897
Juan Jueves.....	Burglary.....	May 28, 1894	5 years	Sept. 30, 1897
Isaac Aldridge.....	Grand larceny.....	Dec. 10, 1896	1 year	Sept. 30, 1897
Wm. Johnson.....	Grand larceny.....	Dec. 10, 1896	1 year	Sept. 30, 1897
Wm. A. Ellis.....	Forgery.....	June 12, 1895	3 years	Oct. 10, 1897
Nick Booth.....	Perjury.....	April 30, 1895	5 years	Oct. 7, 1897
Teresa A. Garcia.....	Receiving stolen property.....	Oct. 7, 1896	2 years	Oct. 7, 1897
Bac-el-cle.....	Murder.....	Oct. 29, 1890	Life	Oct. 7, 1897
J. H. Durkin.....	Assault.....	June 15, 1896	13 mos.	Oct. 14, 1897
Tiburcio Sainz.....	Assault.....	Nov. 18, 1896	18 mos.	Oct. 16, 1897
Trinidad Montano.....	Burglary.....	Nov. 23, 1896	21 mos.	Oct. 7, 1897
Jesus Yepis.....	Aggravated battery.....	June 20, 1896	2 years	Oct. 20, 1897
Angel Sanchez.....	Grand larceny.....	July 3, 1896	2 years	Oct. 20, 1897
John Halford.....	Robbery.....	June 20, 1889	25 years	Nov. 1, 1897
William Stiren.....	Robbery.....	June 20, 1889	25 years	Nov. 1, 1897
Duke McEwing.....	Aggravated battery.....	Dec. 19, 1894	5 years	Nov. 2, 1897
Charles Parker.....	Aggravated assault.....	Nov. 21, 1895	33 mos.	Nov. 2, 1897
Santiago Compos.....	Grand larceny.....	Nov. 23, 1895	28 mos.	Nov. 2, 1897
Lawrence M. Lemon.....	Manislaughter.....	Nov. 5, 1895	8 years	Nov. 5, 1897
Charles Arnett.....	Grand larceny.....	July 3, 1896	18 mos.	Nov. 2, 1897
David Warford.....	Grand larceny.....	May 20, 1896	2 years	Nov. 8, 1897

PARDONS—CONTINUED.

NAME	CRIME	DATE SENTENCE	TERM	PARDONED
Tiburcio Jiminez.....	Burglary.....	Oct. 9, 1896	18 mos.	Nov. 8, 1897
Henry Blevins.....	Grand larceny.....	Nov. 5, 1895	5 years	Nov. 8, 1897
W. D. Mehan.....	Grand larceny.....	June 20, 1896	3 years	Nov. 8, 1897
Daniel Ryan.....	Burglary.....	May 18, 1895	5 years	Nov. 10, 1897
Luce Cardinas.....	Burglary.....	Oct. 11, 1895	3 years	Nov. 13, 1897
Francisco Lopez.....	Grand larceny.....	April 15, 1896	3 years	Nov. 18, 1897
Jesse Utz.....	Concealed weapons.....	July 24, 1897	6 mos.	Nov. 18, 1897
Henry Ehlers.....	Petit larceny.....	July 24, 1897	6 mos.	Nov. 18, 1897
David E. James.....	Grand larceny.....	May 29, 1894	37 years	Dec. 29, 1897
Louis Baca.....	Grand larceny.....	April 2, 1897	14 mos.	Nov. 30, 1897
Jonquin Celeya.....	Burglary.....	Dec. 4, 1896	14 mos.	Nov. 25, 1897
Mariana Delci.....	Grand larceny.....	Dec. 8, 1894	5 years	Nov. 30, 1897
Jesus Lopez.....	Assault.....	Oct. 31, 1891	10 years	Nov. 30, 1897
Doreoto Munoz.....	Grand larceny.....	Mar. 18, 1896	3 years	Dec. 5, 1897
Chop-Pow.....	Manslaughter.....	May 10, 1893	76 years	Dec. 5, 1897
A. George.....	Burglary.....	Mar. 26, 1897	13 mos.	Dec. 14, 1897
Longino Jinzo.....	Manslaughter.....	Oct. 17, 1891	10 years	Dec. 13, 1897
John W. Burrows.....	Murder.....	April 28, 1893	12 years	Dec. 25, 1897
Soo-Tank.....	Assault.....	May 29, 1893	10 years	Dec. 30, 1897
L. W. Edwards.....	Burglary.....	Sept. 29, 1896	3 years	Feb. 28, 1898
Charles Mitchell.....	Felony.....	April 2, 1897	13 mos.	Feb. 5, 1898
Thomas Johnson.....	Assault.....	Oct. 24, 1895	3 years	Feb. 3, 1898
Pearl Brewer.....	Resisting officer.....	Oct. 18, 1897	6 mos.	Mar. 9, 1898
Matthias Armijo.....	Assault.....	June 15, 1896	6 years	April 15, 1898
E. E. Valdez.....	Burglary.....	June 16, 1897	13 mos.	April 6, 1898
E. R. Haroun.....	Forgery.....	Dec. 4, 1897	1 year	April 4, 1898
Luiz Espinosa.....	Burglary.....	Nov. 21, 1895	33 years	May 18, 1898
Cayatana Miranda.....	Grand larceny.....	June 28, 1897	16 mos.	July 4, 1898

PARDONS—CONTINUED.

NAME	CRIME	DATE SENTENCE	TERM	PARDONED
W. H. Drum.....	Burglary.....	May 25, 1897	17 mos.	June 24, 1898
Adolph Vega.....	Grand larceny.....	May 1, 1896	3 years	July 17, 1898
Juan Rivera.....	Burglary.....	Mar. 4, 1897	35 years	July 18, 1898
Landro Imperial.....	Assault.....	May 20, 1895	10 years	July 21, 1898
John S. Jones.....	Rape.....	June 27, 1896	5 years	July 23, 1898
Antonio Grijalba.....	Burglary.....	Sept. 30, 1897	2 years	July 28, 1898
Juan Enriquez.....	Murder.....	Mar. 30, 1889	30 years	July 30, 1898
John Hayden.....	Burglary.....	Mar. 18, 1896	11 years	July 30, 1898
Granted by Gov. N. O. Murphy:				
* Pedro Mendosa.....	Burglary.....	May 17, 1897	18 mos.	Aug. 4, 1898
* Jose (Pima Indian).....	Grand larceny.....	May 20, 1895	5 years	Aug. 15, 1898
† John P. Mitchell.....	Robbery.....	May 15, 1895	5 years	Oct. 28, 1898
‡ Tranquilino Candelaria.....	Rape.....	Oct. 13, 1897	5 years	Oct. 22, 1898
* Bushrod F. Crawford.....	Manslaughter.....	Nov. 29, 1897	2 years	Oct. 27, 1898

* Pardon granted on statement of Prison Superintendent that prisoner was entitled to discharge on time credits for cutting wood, under rules established by Governor McCord.

† Pardoned on statement of Prison Superintendent that prisoner was entitled to discharge on time credits for cutting wood and working on canal, under rules established by Governor McCord.

‡ Pardoned after all rules governing applications for pardons were complied with, including petition by large number of citizens of Apache County, district attorney who prosecuted, judge who sentenced, jury who convicted, and grand jury who indicted; also recommended for good behavior by Prison Superintendent.

COMMUTATION OF SENTENCES.

Commutations of sentence have been granted to prisoners during the past two years as follows:

By Governor B. J. Franklin:

W. H. Binkley, sentenced in Yavapai County, Nov. 18th, 1896, to imprisonment for ten years for the crime of felony. Sentence commuted March 12, 1897, to two years.

By Governor M. H. McCord:

Merritt Gibbs, convicted of manslaughter in Cochise County, sentenced Nov. 26, 1895, to ten years' imprisonment. Sentence commuted July 26, 1898, to one year from date.

John P. Mitchell, convicted of robbery in Coconino County, sentenced May 15, 1895, to twelve years' imprisonment. Sentence commuted July 28, 1898, to five years.

Franz Oscar Toren, convicted of robbery in Pinal County, sentenced to be hanged. Sentence commuted by Governor Franklin, Sept. 2, 1896, to forty years' imprisonment; commuted by Governor McCord, July 28, 1898, to fifteen years.

The following prisoners have been paroled during the past two years:

By Governor M. H. McCord:

Gabriel Gutierrez, convicted of murder in Graham County, sentenced May 1, 1894, to imprisonment for ten years. Paroled during good behavior, July 28, 1898.

REQUISITIONS

ISSUED BY THE GOVERNOR OF ARIZONA ON THE GOVERNORS OF OTHER STATES AND TERRITORIES.

By Governor B. J. Franklin:

May 20, 1897. On the Governor of the State of Texas, for Thomas Cameron, charged with robbery, committed in Yavapai County.

July 12, 1897. On the Governor of the State of California, for Ah Sing, charged with grand larceny, committed in Pima County.

July 20, 1897. On the Governor of the State of California, for George Tupper, charged with felony (branding cattle unlawfully), committed in Maricopa County.

July 23, 1897. On the Governor of the Territory of New Mexico, for Dee Scott and Tilton Scott, charged with grand larceny, committed in Yavapai County.

By Governor McCord:

- Sept. 23, 1897. On the Governor of the Territory of New Mexico, for Samuel Houston and John Mulligan (alias Jack Mulligan), charged with embezzlement, committed in Graham County.
- Oct. 25, 1897. On the Governor of the State of Texas, for T. B. Holder, charged with embezzlement, committed in Pima County.
- Oct. 25, 1897. On the Governor of the State of New York, for Homer Campbell (alias Homer Towne), charged with murder, committed in Yavapai County.
- Nov. 27, 1897. On the Governor of the State of Sonora, Republic of Mexico, for Fred G. Hughes, charged with embezzlement of public funds, committed in Pima County.
- Nov. 1, 1897. On the Governor of the State of California, for Juan Roderquas, charged with murder, committed in Yuma County.
- Nov. 27, 1897. On the Governor of the State of California, for George Leander and James Miller, charged with grand larceny, committed in Yavapai County.
- Dec. 12, 1897. On the Governor of the State of California, for L. Sues (alias B. Sues), charged with murder, committed in Maricopa County.
- Dec. 25, 1897. On the Governor of the State of California, for Fred G. Hughes, charged with embezzlement, committed in Pima County.
- Feb. 8, 1898. On the Governor of the State of Ohio, for J. F. Calahan and James D. Waterman, charged with felony and forgery, committed in Maricopa County.
- Feb. 9, 1898. On the Governor of the State of Illinois, for J. F. Calahan and James D. Waterman, charged with felony and forgery, committed in Maricopa County.
- Feb. 25, 1898. On the Governor of the Territory of New Mexico, for William Evans, charged with robbery, committed in Cochise County.
- Feb. 25, 1898. On the Governor of the Territory of New Mexico, for Charles Carter, charged with grand larceny, committed in Apache County.
- March 12, 1898. On the Governor of the State of California, for Lester Smith, charged with felony (grand larceny), committed in Maricopa County.
- March 25, 1898. On the Governor of the Territory of Oklahoma, for Noble Stanley, charged with grand larceny, committed in Cochise County.
- April 30, 1898. On the Governor of the State of California, for William Evans, charged with robbery, committed in Cochise County.
- May 7, 1898. On the Governor of the State of Sonora, Republic of Mexico, for John Lee, charged with robbery, committed in Cochise County.

June 22, 1898. On the Governor of the State of Michigan, for Tim O'Brien, charged with robbery, committed in Coconino County.

July 11, 1898. On the Governor of the Territory of Oklahoma, for John Lee, charged with robbery, committed in Yavapai County.

By Governor N. O. Murphy:

Nov. 18, 1898. Request on the Secretary of State of the United States for extradition of James Temple from the Republic of Mexico, charged with murder in Pima County.

Nov. 21, 1898. On the Governor of the State of Washington, for Ezra Barnes, charged with murder, committed in Yavapai County.

REQUISITIONS ISSUED ON THE GOVERNOR OF ARIZONA BY THE GOVERNORS OF OTHER STATES AND TERRITORIES.

The Governor of the State of Iowa, for Paul Willcutt, charged with burglary. Requisition honored Jan. 25, 1897.

The Governor of the State of Missouri, for John B. Knowles, charged with embezzlement. Requisition honored Feb. 8, 1897.

The Governor of the State of California, for Eugene Shubert, charged with embezzlement. Requisition honored Feb. 8, 1897.

The Governor of the State of California, for Manuel Brown, charged with murder. Requisition honored Feb. 16, 1897.

The Governor of the State of Kansas, for James Herron, charged with grand larceny. Requisition honored Feb. 23, 1897.

The Governor of the State of Idaho, for Jack Davis (alias Diamond-field Jack), charged with murder. Requisition honored Feb. 27, 1897.

The Governor of the State of Texas, for R. L. Weight, charged with murder. Requisition honored March 26, 1897.

The Governor of the State of California, for Anton Vital, charged with murder. Requisition honored April 30, 1897.

The Governor of the State of Oregon, for Robert Hinman, charged with burglary. Requisition honored May 10, 1897.

The Governor of the State of Indiana, for Fred L. Lucas, charged with perjury. Requisition honored May 17, 1897.

The Governor of the State of Colorado, for Frank Tandy, charged with murder. Requisition honored May 24, 1897.

The Governor of the State of California, for H. E. Sturgeon, charged with forgery. Requisition honored July 17, 1897.

The Governor of the State of Chihuahua, Republic of Mexico, for Martin Flores, charged with murder. Requisition honored July 26, 1897.

The Governor of the State of California, for William DeLashmutt, charged with embezzlement. Requisition honored Dec. 16, 1897.

The Governor of the State of California, for W. H. Killeby, charged with assault with intent to commit murder. Requisition honored Jan. 10, 1898.

The Governor of the State of Texas, for Bud Hines, charged with robbery. Requisition honored Jan. 21, 1898.

The Governor of the State of Iowa, for Fred Wallace, charged with rape. Requisition honored Jan. 31, 1898.

The Governor of the State of California, for James Shuck, charged with rape. Requisition honored March 12, 1898.

The Governor of the State of California, for John E. Burke, charged with robbery. Requisition honored Nov. 15, 1898.

PROCLAMATIONS.

In addition to the above, the following public proclamations have been issued during the past two years:

By Governor B. J. Franklin:

Proclamation of reward of \$500 for arrest of James Parker, \$500 for the arrest of L. C. Miller, \$250 for arrest of Cornelia (a Mexican), prisoners escaped from Yavapai County jail; proclamation issued May 12, 1897.

Proclamation of \$50 reward for arrest of Thomas Cameron, escape from penitentiary; proclamation issued May 20, 1897.

Proclamation issued June 2, 1897, offering \$300 reward for arrest of Piute Indian known as "Mouse," charged with murder, committed in Mohave County.

Proclamation issued June 12, 1897, offering \$500 reward for arrest of Augustine Chacon, charged with murder and sentenced to be hanged, escaped from Graham County jail.

By Governor M. H. McCord:

Proclamation issued August 16, 1897, designating Monday, Sept. 6, 1897, as Labor Day.

Proclamation issued Oct. 1, 1897, offering \$500 reward for arrest of unknown murderers of Price Pratt, murdered at Gila Bend, Maricopa County, August 31, 1897.

Proclamation issued Jan. 29, 1898, designating Feb. 4, 1898, to be observed as Arbor Day.

Proclamation issued May 21, 1898, designating May 30, 1898, as Memorial Day.

By Governor N. O. Murphy:

Proclamation issued Sept. 28, 1898, for a general election to be held throughout the Territory on the first Tuesday after the first Monday in November, 1898.

Proclamation issued Sept. 30, 1898, offering a reward of \$250 for the arrest and conviction of the murderers of James Lee, murdered in Pinal County, Sept. 15, 1898.

Proclamation issued Nov. 10, 1898, designating Thursday, Nov. 24, 1898, to be observed as Thanksgiving Day.

Certificate issued Dec. 13, 1898, certifying to the election of the Hon. J. F. Wilson as Delegate to the Fifty-sixth Congress of the United States from the Territory of Arizona.